

**Law Offices of Michael Grinblat**  
**10 East 39<sup>th</sup> Street, 12<sup>th</sup> Floor**  
**New York, NY 10016**

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Telephone: (347) 796-0712  
[michael.grinblatesq@gmail.com](mailto:michael.grinblatesq@gmail.com)

June 2, 2023

Hon. Hector Gonzalez  
225 Cadman Plaza East  
Brooklyn, NY 11201

By ECF

Re: LEONID TREYGER v. GIO WINE & SPIRITS CORP., GBA 526 LLC  
Case No.: 23-cv-2099-HG

Letter-Motion to Extend the Deadlines

Dear Judge Gonzalez:

I represent Mr. Leonid Treyger (the “Plaintiff”) in the above-referenced action. Mr. Robert N. Swetnick represents Defendant Gio Wine & Spirits Corp. (“Gio Wine”). On May 25, 2023, the Court issued an Order, in which it referred the case to the Court-Annexed Mediation Program and Ordered the parties to select a mediator by June 8, 2023. On the same date, the Court has also ordered the parties to file a joint letter and case management plan by June 15, 2023. Plaintiff and Defendant Gio Wine respectfully request the Court to extend the deadlines for selection of mediator and for filing of a scheduling order until July 7, 2023. The parties also request to extend the deadline for completion of mediation to August 7, 2023.

On June 2, 2023, Mr. Swetnick and I discussed the case. During that discussion, Mr. Swetnick has told me that he has discussed the case with Ms. Betty Ahdoot, who has told him that she is the owner of Defendant GBA 526 LLC (“GBA”). Ms. Ahdoot has also told Mr. Swetnick that she did not yet retain an attorney. Mr. Swetnick and I intend to discuss the case with Ms. Ahdoot in a telephone conference on Tuesday, June 6, 2023, and encourage her to hire an architect during that discussion. The architect will ascertain whether it is possible to remediate the ramp leading to the store to make it accessible for Plaintiff and other disabled customers, who use wheelchairs. If it is possible to remediate the ramp, the architect will also explain how to do it. We will also urge Ms. Ahdoot to file an answer as soon as possible. Mr. Swetnick and I do not believe that mediation would be productive until we review an architect’s report, or at least until GBA is also an active litigant. Once GBA answers Plaintiff’s Complaint, Defendant Gio Liquors intends to cross claim against it. For that reason, the parties believe that it would be more efficient to submit a scheduling order after Defendant GBA answers Plaintiff’s Complaint. This is the parties’ first request to extend the aforementioned deadlines.

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Mr. Swetnick has participated in drafting this joint letter and consented to its filing. We are grateful to Your Honor for considering this matter.

Very truly yours,



Michael Grinblat, Esq.

CC: all counsel of record via ECF